

Interview Summary	Application No.	Applicant(s)
	09/034,336	AGA ET AL.
	Examiner Marjorie A. Moran	Art Unit 1631

All participants (applicant, applicant's representative, PTO personnel):

(1) Marjorie A. Moran. (3) _____.

(2) Anne Kornbau. (4) _____.

Date of Interview: 9/13/01.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.

If Yes, brief description: _____.

Claim(s) discussed: 5.

Identification of prior art discussed: _____.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) It is not necessary for applicant to provide a separate record of the substance of the interview(if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The examiner informed Ms. Kornbau that the after-final amendment and arguments filed 8/30/01 had been fully considered. The amendment will not be entered as it introduces new 112, 2nd paragraph issues, specifically with regard to adding an "inhibitory agent containing at least 20 w/w% trehalose to said inhibitory agent", as recited in the last few lines of claim 5. The exmr stated that this portion of the claim now seemed to be nonsensical. The exmr also stated that the proposed amendment will overcome the claim objection and said that arguments with regard to the new matter rejection were convincing. However, the arguments with regard to the rejections made under 35 USC 103 were not fully convincing, therefore these rejections are maintained. The examiner recommended that in applicants consider rewriting claim 5 in a possible future amendment to improve claim construction and clarify the intended limitations.